

STATE OF MINNESOTA

Criminal No.: 23-mj-623 (DLM)

COUNTY OF RAMSEY

AFFIDAVIT OF ADAM LEPINSKI

I, Adam Lepinski, being first duly sworn, state as follows:

INTRODUCTION

1. I am employed as a Task Force Officer with the Federal Bureau of Investigation (FBI) and have been so employed by the Minneapolis Police Department (MPD) since 2004. I am currently assigned to the MPD Gun Investigations Unit and the FBI Safe Streets Task Force. While working in these capacities, I conduct investigations into violent criminals, criminal organizations, the illegal use, possession, and trafficking of firearms, along with a variety of other violations of state and federal laws.

2. This affidavit is submitted for the limited purpose of establish probable cause to issue a criminal complaint and arrest warrant for **Clenest Demon Wells, Jr.** (YOB 1996) charging him with Unlawful Possession of a Firearm, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(a)(8); and Unlawful Possession of a Machinegun, in violation of Title 18, United States Code, Sections 922(o)(1) and 924 (a)(2).

3. The facts set forth herein are based on my own personal observations, my review of police reports, and conversations I have had with other law enforcement personnel. The facts set forth herein do not include the complete facts related to this

investigation, just those facts necessary to support probable cause for purposes of the Complaint.

PROBABLE CAUSE

4. Numerous state and local agencies, including the Minneapolis Police Department, are investigating the “Lows” street gang. The “Lows” is a north Minneapolis criminal gang that engages in drug trafficking, firearm possession, and acts of violence. “The Lows” are comprised of various gang subsets that go by different names, including the Stick Up Boys (SUB).

a. The April 6, 2020 Arrest of Wells, Jr.

5. On April 6, 2020, law enforcement officers responded to reports in Minneapolis of a passenger on a Metro Transit bus threatening another passenger with a firearm. The suspect was described as a 20-year-old male wearing a greyish black winter hat and a black vest.

6. Law enforcement officers located and boarded the Metro Transit bus at the intersection of Penn and Lowry Avenue North. Law enforcement officers approached a bus passenger matching the description of the report and—given the report of a firearm—conducted a pat-down search. Law enforcement officers discovered a firearm on the passenger, which was a black Hi-Point 9-millimeter semi-automatic pistol, bearing serial number P1719523. The suspect was later identified as **WELLS, JR.** After being arrested, **WELLS, JR.** made the unprompted statement that he had found the gun in an alley.

7. **WELLS, JR.** subsequently agreed to a post-*Miranda* interview. He reported that a man he previously had problems with chose to sit next to him on the

Metro Transit bus. **WELLS, JR.** said he asked the man if he knew who he was, but the man did not respond.

8. **WELLS, JR.** then restated his unprompted statement that he had found the gun in an alley the night before. **WELLS, JR.** then reported that he only kept the gun because he did not want to get in trouble. He subsequently admitted that he intended to keep or sell the gun.

9. Due to a previous felony conviction on August 19, 2019, for a crime of violence, **WELLS, JR.** was prohibited from possessing a firearm on April 6, 2020.

b. May 23, 2022 Arrest of Wells, Jr.

10. On May 23, 2022, Minneapolis police officers on routine patrol in North Minneapolis observed a Pontiac G6 driving 40-50 miles per hour in a residential area with a 25 mile-per-hour speed limit. The observing law enforcement officers conducted a traffic stop and encountered **WELLS, JR.** as the driver and sole occupant of the vehicle. The officers immediately noticed a strong smell of marijuana coming from the car and observed burnt residue consistent with the use of marijuana. A routine check on **WELLS, JR.** further revealed he was driving on a revoked driver's license. The law enforcement officers also learned that **WELLS, JR.** had a history of "fighting with police" and of assaulting police and correctional officers.

11. Law enforcement officers directed **WELLS, JR.** to exit the vehicle and conducted a pat-down search for officer safety. This resulted in the discovery of a plastic baggie in **WELLS, JR.**'s waistline that appeared to contain pills. A field test of the pills tested positive as ecstasy. A subsequent search of the vehicle revealed a loaded firearm between the driver's seat and center console. The firearm was a black Springfield Model

XD9 9-millimeter semi-automatic pistol bearing serial number GM838487. Law enforcement officers also recovered a baggie of marijuana inside the center console and in the back seat.

12. During routine booking, **WELLS, JR.** spontaneously stated he had been caught “with a pole,” and directed law enforcement officers to take him to his cell. The law enforcement officers immediately responded by reading **WELLS, JR.** his *Miranda* rights and asking if he wanted to provide a statement about his conduct. **WELLS, JR.** responded that he did not want to since he had already been caught and directed officers to finish processing him.

13. Due to previous felony convictions and adjudicated crimes of violence, **WELLS, JR.** was prohibited from possessing a firearm on May 23, 2022.

c. July 30, 2023 Arrest of Wells, Jr.

14. On July 30, 2023, law enforcement officers responded to calls of a suspicious person located in a parking lot at Hennepin Avenue and 5th Street in Minneapolis, Minnesota. The report indicated fighting in the parking lot and that a black male with a handgun was standing in the middle of the parking lot next to a Chevrolet Tahoe.

15. Law enforcement officers responded to the call and, upon arrival, bystanders reported that one of the involved individuals had a gun. The responding officers observed two males standing near the passenger side of a parked Chevrolet Tahoe. One of these individuals was wearing a black hoodie and what appeared to be a black ski mask. As officers approached, the male wearing the black ski mask turned and began to walk away while placing a hand on his waistband. Law enforcement

officers directed the male—subsequently identified as **WELLS, JR.**—to stop, but he responded by making furtive movements and then attempted to flee.

16. Law enforcement officers ultimately stopped **WELLS, JR.** and attempted to place him under arrest. He ignored commands to comply and instead attempted to reach into his waistband. Eventually, law enforcement officers successfully subdued **WELLS, JR.** and placed him under arrest.

17. A search incident to arrest revealed a gray Glock model 17 9-millimeter semiautomatic handgun bearing serial number BDBA061 in **WELLS, JR.**'s boxers. The firearm previously was reported as stolen. The Glock 17 had an auto-sear on the back that converted the semi-automatic firearm to fully automatic, which meant the firearm would operate with a single trigger pull as a machinegun. The Glock 17 included a loaded magazine and had a round in the chamber. Law enforcement officers also recovered suspected narcotics from **WELLS, JR.**'s pants pockets. The suspected narcotics preliminarily proved to be the following: a baggie with a white crystalline substance (approximately 11.98 grams without packaging, field tested positive for methamphetamine), several colorful pills (30 pills total of suspected MDMA, approximate weight without packaging 9.79 grams, field tested positive for methamphetamine), and a small amount of cocaine base (approximately .51 grams without packaging, field tested positive for cocaine).

18. A subsequent records check revealed that **WELLS, JR.** had four active warrants for his arrest, including for the above-referenced felon in possession of a firearm incident on May 23, 2022. Moreover, due to previous felony convictions and adjudicated crimes of violence, **WELLS, JR.** was prohibited from possessing a firearm

on July 30, 2023. Finally, it is unlawful at any time to possess a firearm equipped with an auto sear device.

19. **WELLS, JR.** later agreed to provide a post-*Miranda* statement to law enforcement. **WELLS, JR.** reported he recently found the Glock 17 and knew it was equipped with a “button”. He explained that he always carried a firearm for his own protection. However, according to **WELLS, JR.**, he did not have any ties to local area gangs. **WELLS, JR.** indicated that law enforcement’s belief to the contrary stemmed from an inaccurate report in his past.

d. Criminal History and Interstate Nexus

20. A review of **WELLS, JR.**’s criminal history indicated the following convictions, each of which was punishable by a term of imprisonment exceeding one year:

OFFENSE	DATE (On/About)	LOCATION
Terroristic Threat – Reckless Disregard	8/19/2019	Hennepin County, MN
Assault 4th Degree – Peace Officer	6/8/2018	Hennepin County, MN
Assault 4th Degree – Peace Officer	7/20/2017	Hennepin County, MN
Aiding an Offender – Accomplice After the Fact	11/28/2016	Hennepin County, MN

21. A preliminary analysis by an ATF interstate nexus has concluded that none of the firearms allegedly possessed by **WELLS, JR.**—the black Hi-Point 9-millimeter semi-automatic pistol, bearing serial number P1719523 on April 6, 2020, the Springfield Model XD9 9-millimeter semi-automatic pistol bearing serial number GM838487 on May 23, 2022, or the Glock model 17 9-millimeter semiautomatic

handgun bearing serial number BDBA061 on July 30, 2023—as described in this affidavit—were manufactured in the State of Minnesota.

22. Additionally, law enforcement conducted a preliminary NIBIN analysis of the Glock 17 recovered from **WELLS, JR.** on July 30, 2023. NIBIN is the National Integrated Ballistic Information Network, which is used to compare ballistic evidence at different shootings to form potential evidentiary links between recovered ammunition and ballistics and a specific firearm. The preliminary NIBIN analysis of the Glock 17 recovered from **WELLS, JR.** on July 30, 2023, indicated that, since December 22, 2022, the Glock 17 had been linked to six different shootings in the Twin Cities area.

23. Finally, numerous prior arrests and police reports indicate that **WELLS, JR.** is associated with the Stick Up Boys and the Lows gang.

CONCLUSION

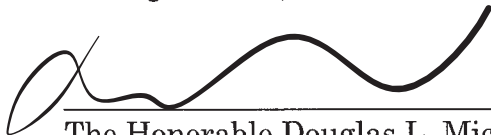
24. Based on the facts set forth above, there is probable cause to believe that **Clenest Demon Wells, Jr.** (YOB 1996) committed to the offenses of Unlawful Possession of a Firearm, in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(a)(8); and Unlawful Possession of a Machinegun, in violation of Title 18, United States Code, Sections 922(o)(1) and 924 (a)(2).

Respectfully submitted,



Adam Lepinski
Task Force Officer
Federal Bureau of Investigation

SUBSCRIBED AND SWORN TO before me
by reliable electronic means via FaceTime
and email pursuant to Fed. R. Crim. P. 41(d)(3)
on August 14th, 2023.



The Honorable Douglas L. Micko
United States Magistrate Judge